

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

LINDA S. BROWN,

Plaintiff,

v.

**CAPE ENVIRONMENTAL
MANAGEMENT CAPE, INC.,**

Defendant.

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No. 3:12-cv-1048

Judge Sharp

Magistrate Judge Knowles

ORDER

Pending before the Court is a Report and Recommendation (“R & R”) of the Magistrate Judge, recommending that *Defendant’s Motion to Dismiss for Failure to Prosecute* (Docket Entry No. 21) be granted. The R & R provides, in part,

Plaintiff has not filed a Response to the instant Motion. Pursuant to Local Rule 7.01(b), Plaintiff’s “failure to file a timely Response . . . indicate[s] that there is no opposition to the Motion.”

For the foregoing reasons, the undersigned recommends that the instant Motion to Dismiss (Docket No. 21) be GRANTED.

(Docket Entry No. 24). No objections were made to the R & R.

Where no objections are made to the R & R, “[t]he district judge may accept, reject, or modify the recommended disposition; receive further evidence; or return the matter to the magistrate judge with instructions.” Fed. R. Civ. P. 72(b). Having thoroughly reviewed the record in this case and the applicable law in accordance with Rule 72(b), the Court will accept the R & R.

Accordingly, the Court hereby rules as follows:

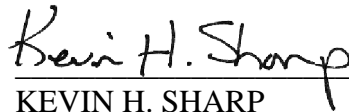
(1) The Report and Recommendation (Docket Entry No. 24) is hereby ACCEPTED and APPROVED; and

(2) *Defendant's Motion to Dismiss for Failure to Prosecute* (Docket Entry No. 21) is hereby GRANTED; and

(3) Plaintiff Linda S. Brown's Complaint is hereby DISMISSED WITH PREJUDICE.

The Clerk is directed to enter Judgment in a separate document in accordance with Federal Rule of Civil Procedure 58.

It is SO ORDERED.

A handwritten signature in black ink that reads "Kevin H. Sharp". The signature is written in a cursive, flowing style. Below the signature is a solid horizontal line.

KEVIN H. SHARP
UNITED STATES DISTRICT JUDGE